Appl. No. 10/712,471 Amdt. Dated January 31, 2006 Reply to Office Action of November 18, 2005

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the aboveidentified application:

1. (currently amended) A passive thermal switch assembly, comprising:

a heat pipe having an evaporator end and a condenser end, the heat pipe evaporator end adapted to couple to a heat source; and

a switch coupled to the heat pipe condenser end, the switch comprised at least partially of a material having a shape or volume that varies with temperature;

a first thermally conductive contact coupled to the heat pipe condenser end;

a tendon comprised at least partially of a shape memory metal or metal alloy, the tendon coupled to the first thermally conductive contact and adapted to couple to a heat sink; and

a second thermally conductive contact disposed proximate the first thermally conductive contact and adapted to couple to the heat sink,

wherein the first and second thermally conductive contacts at least partially engage one another when at least the tendon is at or above a predetermined temperature.

- 2-13 (canceled).
- 14. (currently amended) The switch assembly of Claim [[13]] 1, wherein the shape memory alloy is selected from the group consisting of nickel-titanium, copper-zinc-aluminum, and iron-manganese-silicon.
  - 15-16 (canceled).
  - 17. (currently amended) An electronic equipment enclosure, comprising: a chassis:

one or more circuit components housed within the chassis;

one or more heat pipes each having an evaporator end and a condenser end, each heat pipe evaporator end coupled to at least one of the circuit components; and

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one or more switches coupled to each heat pipe condenser end, each switch comprised at least partially of a material having a shape or volume that varies with temperature and disposed adjacent the chassis, whereby each switch is selectively thermally coupled to, and thermally decoupled from, the chassis at a predetermined temperature, each switch comprising:

a first thermally conductive contact coupled to the heat pipe condenser end;

a tendon comprised at least partially of a shape memory metal or metal alloy, the tendon coupled to the first thermally conductive contact and to the chassis; and

a second thermally conductive contact disposed proximate the first thermally conductive contact and coupled to the chassis,

wherein the first and second thermally conductive contacts at least partially engage one another when at least the tendon is at or above a predetermined temperature.

18-29 (canceled).

30. (currently amended) The system of Claim [[29]] 17, wherein the shape memory alloy is selected from the group consisting of nickel-titanium, copper-zinc-aluminum, and ironmanganese-silicon.

31-32 (canceled).